

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 7:20-cv-187-BO

TOMMY LEE HERRING,)
Plaintiff,)
v.)
CLOUD BASED, NEW HANOVER COURT,)
MARGARET HAGETT, and N.C. MEDICAL)
BOARD,)
Defendants.)

ORDER

This matter is before the Court on the Memorandum and Recommendation (M&R) of United States Magistrate Judge Robert B. Jones, Jr. [DE 5]. No objections to the M&R have been filed, and the matter is ripe for review. For the reasons discussed below, the Court adopts the M&R in its entirety and plaintiff's complaint is dismissed because the claims are time-barred.

A district court is required to review de novo those portions of an M&R to which a party timely files specific objections or where there is plain error. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985). “[I]n the absence of a timely filed objection, a district court need not conduct de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (internal quotation and citation omitted).

No party has objected to the M&R and the time for doing so has passed. The Court has reviewed the M&R and is satisfied that there is no clear error on the face of the record. Accordingly, the M&R is ADOPTED.

CONCLUSION

The M&R of Judge Jones is ADOPTED. [DE 5]. Plaintiff's application to proceed *in forma pauperis* is GRANTED and plaintiff's claims are DISMISSED because any cause of action would have accrued more than three years before the filing of plaintiff's proposed complaint. The clerk is DIRECTED to close the case.

SO ORDERED, this 20 day of December, 2020.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE